

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern District of New York

Bayer HealthCare LLC

Plaintiff

v.

Eli Lilly and Company

Defendant

11 CV 3047

Civil Action No.

JUDGE HELLERSTEIN

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Eli Lilly and Company
c/o National Registered Agents, Inc.
875 Avenue of the Americas
Suite 501
New York, New York 10001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David H. Bernstein, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK


CLERK OF COURT

Ruby J. Krajick

Date: MAY - 4 2011

Signature of Clerk or Deputy Clerk

Ms. Broder is a light skinned female with long brown hair, approximately 5'6", 140 lbs., 55-60 years of age.


Keyin Johnson
License No.: 1031365

Sworn to before me this
5th day of May, 2011.


Notary Public

MICHAEL R. SHANNON
NOTARY PUBLIC, State of New York
No. 01SH6200537
Qualified in New York County
Commission Expires Jan. 26, 2013